

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Huang Liang-Tang
Serial No.: 10/736,433

Group Art Unit: 2627
Examiner: Edun, Muhammad N.
Confirmation No. 3429
TKHR Ref. 251209-1750
Lite-On IT Ref. 91150123

Filed: December 15, 2003

For: **Startup Procedure of Optical Drive After Recording or Erasing on Optical Disc**

**NOTICE REGARDING TIME PERIOD FOR RESPONDING TO THE
NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION**

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Earlier today, the undersigned electronically filed a response to the Notice of Drawing Inconsistency with Specification and an Amendment after Allowance.

In the remarks of that response, the undersigned noted that the Notice "was not timely noted by the Patent Office, in that it should have been identified prior to the mailing of the notice of allowance in this matter." This remark was made to address the time period for reply. The Notice (mailed November 13, 2006) set a non-statutory time period of the later of one-month (or 30 days) from the mailing date of that Notice or the Notice of Allowance due date of January 4, 2007. In fact, the MPEP (see § 701.01(a)) states that the practice of setting such 1-month response dates should be applied in situations where there is an omission or defect in a prior response. In the present case,

the inconsistency noted by Notice did not result from an error or omission in a prior response, but has been present in the application since the date of filing. As such, the Notice should have accorded the undersigned a minimum of two months (or 60 days) to respond. Therefore, the response electronically filed earlier today should be accepted as timely filed.

No fee is believed to be due in connection with this submission. If, however, any fee is believed to be due, you are hereby authorized to charge any such fee to deposit account No. 20-0778.

Respectfully submitted,



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